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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,280	03/29/2004	Seung-Min Park	678-1280 (P11401)	2265

28249 7590 04/27/2007
DILWORTH & BARRESE, LLP
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UNIONDALE, NY 11553

EXAMINER

LEA EDMONDS, LISA S

ART UNIT	PAPER NUMBER
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2835

MAIL DATE	DELIVERY MODE
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04/27/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

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Advisory Action Before the Filing of an Appeal Brief	Application No. 10/812,280	Applicant(s) PARK ET AL.	
	Examiner Lisa Lea-Edmonds	Art Unit 2835	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 08 March 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☐ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
 b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
 (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
 (b) ☐ They raise the issue of new matter (see NOTE below);
 (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).


4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
 5. ☐ Applicant's reply has overcome the following rejection(s): _____.
 6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
 7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
 The status of the claim(s) is (or will be) as follows:
 Claim(s) allowed: _____.
 Claim(s) objected to: _____.
 Claim(s) rejected: 1-3, 6 and 7.
 Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
 9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
 10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See attachment.
 12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
 13. ☐ Other: _____.


 Lisa Lea-Edmonds
 Primary Examiner
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REQUEST FOR RECONSIDERATION

Response to Arguments

1. Applicant's arguments mailed on 03/05/07 have been fully considered but they are not persuasive. With respect to applicant's arguments, it appears to the examiner of record that applicant's points of contention are that Jacobsen et al. does not teach the cradle and optical system as claimed. It is noted that the prior examiner did not rely upon Jacobsen et al. to teach a cradle, however the cradle was merely mentioned as a contextual reference only. It is clear, by the Final Office Action mailed 12/06/06, that Morikawa et al. lacks a teaching of a retractable and protractible optical system only. Jacobsen et al. is relied upon for its teaching of such an optical system as claimed. Applicant relies upon column 13, line 66 through column 14 line 8 of Jacobsen et al. as a teaching that the "optical system (306) is in fact a display module with a display window (309). Applicant is correct, however, applicant did not consider the full context of the citation. It is also noted that in column 13, line 60 through column 14 line 19 Jacobsen et al. teaches a "cradle" or docking station (286) includes various elements one of which is a display module (306) having a display window (309) **and can optionally also include a CCD or CMOS camera (310) in module (305).** Both modules (310, 305) moves between a cavity within the base element (the base element is understood to be the "base" or "bottom portion" of "cradle" or docking station (286)) and an operating position as is clearly shown in figures 10A and 10B). Therefore it is clear that both modules 310 and 305 are **within** the "cradle" as claimed. Applicant also

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contends that Jacobsen et al. does not teach an optical system that emits a beam in a predetermined direction as claimed. Applicant is directed to column 12 lines 38-46, where Jacobsen et al. teaches that a camera device (215) being a charge coupled device (CCD) that is used to provide an imaging or video conferencing capability.

Jacobsen et al. also teaches that the CCD camera (215) can be pivoted in any selected direction and that the image generated can be seen on the display and/or transmitted to a remote location. Both CCD cameras (215 and 310) are capable of transmitting to a remote location. Clearly figures 8 (CCD camera 215) and 10 (CCD camera 310) are not connected by wire to a remote location. Therefore, one of ordinary skill would recognize the inherent need for wireless communication. Thus providing a "beam" that projects information. It is believed that the rejections made by the Final Office Action are proper. Therefore applicant's remarks are not persuasive and the rejection of claims 1-3, 6 and 7 are maintained.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Lea-Edmonds whose telephone number is 571-272-2043. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jayprakash N. Gandhi can be reached on (571) 272-2800, ext 35. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Lisa Lea-Edmonds
Primary Examiner
Art Unit 2835

2007-04-24